

BEFORE THE  
STATE BOARD OF PHARMACY  
STATE OF MISSOURI

STATE BOARD OF PHARMACY,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 2006-006449-F1
	)	
BIO MED PLUS	)	
	)	
Respondent.	)	

FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND ORDER OF DISCIPLINE

This matter appears before the Missouri Board of Pharmacy pursuant to a Felony Conviction Complaint regarding BIO MEDS PLUS, respondent.

Findings of Fact

1. The Board set this matter for hearing and served notice of the disciplinary hearing upon BIO MEDS PLUS.
2. Pursuant to notice and Section 621.110, RSMo, this Board held a hearing on July 11, 2007, at the Courtyard by Marriott, 3301 LeMone Industrial Boulevard, Columbia, Missouri, for the purpose of determining the appropriate disciplinary action against the drug distributor license of BIO MEDS PLUS. BIO MEDS PLUS, although notified of the hearing, did not appear, nor did anyone appear on its behalf. The Board was represented by Rob Angstead.
3. All Board members, except Pamela Marshall, were present throughout the felony disciplinary hearing.
4. The Missouri Board of Pharmacy ("Board") is an agency of the state of Missouri created and established pursuant to Section 338.110, RSMo 2004, for the purpose of executing and enforcing the provisions of Chapter 338, RSMo.

5. BIO MEDS PLUS was licensed as a drug distributor by the Board, License No. 901534, which license was current and active throughout the period.

6. On or about September 11, 2006, BIO MEDS PLUS was found guilty of multiple counts of racketeering, racketeering conspiracy, and wire fraud, all of which are felonies, in federal court.

7. Pursuant to 338.065, RSMo, the Missouri Board of Pharmacy set this matter for hearing and served notice of a disciplinary hearing upon respondent in a proper and timely fashion.

8. The Board finds that the crimes to which BIO MEDS PLUS was found guilty in a criminal case are offenses reasonably related to the qualifications, functions or duties of a drug distributor and that these felony offenses have an essential element of which is fraud, dishonesty or involves moral turpitude.

#### Conclusions of Law

9. This Board has jurisdiction over this proceeding pursuant to 338.065, RSMo.

10. Respondent's license is subject to discipline by this Board pursuant to 338.065, RSMo.

11. Upon examination of the evidence presented, the Missouri Board of Pharmacy concludes that BIO MEDS PLUS plead guilty in a criminal case to offenses reasonably related to the qualifications, functions or duties of a drug distributor and that these felony offenses have an essential element of which is fraud, dishonesty or involves moral turpitude.

#### Order


IT IS HEREBY ORDERED by the Missouri Board of Pharmacy that the drug distributor license issued to BIO MEDS PLUS, numbered 901534, shall be REVOKED and BIO MEDS PLUS may not apply for reinstatement of its license for seven years after the effective date of this Order, as provided in Section 338.067 RSMo. Respondent shall return all indicia of licensure, i.e., the computer generated 5" x 7"

license, and the wallet card, to the Board office. This Order shall become effective ten (10) days from the date it is entered.

This document shall be maintained by the Board of Pharmacy as an open and public record of the Board as provided in Chapters 338, 610, 620, RSMo.

ENTERED THIS 20<sup>th</sup> DAY OF AUGUST, 2007

(BOARD SEAL)

  
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DEBRA C. RINGGENBERG  
EXECUTIVE DIRECTOR  
MISSOURI BOARD OF PHARMACY